

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In Re: BP SHAREHOLDER DERIVATIVE) LITIGATION))))	MDL NO. 2185 Civil Action No. 4:10-cv-3447
In Re: BP P.L.C. SECURITIES LITIGATION))))	Civil Action No. 4:10-md-2185 Hon. Keith P. Ellison

**[PROPOSED] ORDER GRANTING LEAVE FOR
ADDITIONAL BRIEFING AND DISCOVERY**

Before the Court is the Derivative Plaintiffs' Motion for Leave to Brief Issues Raised at Hearing and for Discovery. Having considered the Motion and any responses thereto, the Court is of the opinion that the Motion should be granted.

IT IS THEREFORE ORDERED that the parties are granted leave to submit additional briefing on the following issues:

- (1) Can this Court apply Sections 260-263 of the Companies Act to determine whether Plaintiffs have standing to bring this Action?
- (2) Can this Court apply Sections 260-263 of the Companies Act to determine whether Plaintiffs should be given permission to proceed with this Action and, if so, should permission be given?
- (3) If the Court cannot apply the elements of Sections 260-263, does the common law allow Plaintiffs to continue this Action?

IT IS FURTHER ORDERED that the Plaintiffs are granted leave to conduct jurisdictional discovery.

Signed on this _____ day of _____, 2011.

Judge Keith P. Ellison